

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#15
DAC
(MIS)

In re U.S. Patent 5,918,323 Issued on the 6th day of July 1999:
ANTHONY SMITH, as sole inventor upon Application S.N. 08/506,851:
Filed the 25th day of July 1995 for HOSPITAL LIQUID SANITATION CART:

**PETITION FOR ACCEPTANCE OF DELAYED MAINTENANCE FEE PAYMENT
ON THE GROUND THAT SUCH DELAY IN PAYMENT WAS UNINTENTIONAL**

To the Assistant Commissioner for Patents:

This petition is presented under Rule 378(b) [37 CFR 1.378(b)] by the inventor as petitioner, still a Small Entity, acting via his undersigned attorney, who has represented the inventor throughout.

Expiration of this patent for lack of timely payment of the Maintenance Fee (as due on 6 July 2003) was unintentional upon the part of the inventor-patentee, who resides in Louisville, Kentucky, and of his undersigned attorney, who resides in Lexington, Virginia.

Both the inventor and the attorney were cognizant of the need to pay the Maintenance Fee, having discussed the impending due date several weeks theretofore, specifically the amount thereof; and each of them understood that the fee would be paid in timely manner. However, the inventor did NOT suggest that the attorney advance the amount of the fee (such as subject to reimbursement at a later date).

About a week before the Maintenance Fee due date, the attorney noted the forthcoming reminder on his status docket and checked, via the Internet, the pertinent PTO record to ascertain the fee status. [Unfortunately, he did not see any need to print the page contents.]

As an included message indicated that there were no fees to be paid, he concluded that the inventor had paid the fee directly and timely in proper amount, and thought no more about it until a recent phone conversation with the client, when he mentioned it in passing, and then learned that the client had NOT paid the maintenance fee.

While the client was still on the phone, the attorney checked the then current PTO record and was greeted with the same or similar message--and now understandable in view of the expiration meanwhile. A photocopy copy of the latter sheet is enclosed with this petition, as is a copy of this petition itself for the purpose of fee payment.

Petitioner solicits favorable action upon this petition as soon as possible, plus confirmation that relief has indeed been granted.

The attorney's check for both the Maintenance Fee and the Revival Petition Fee is enclosed: \$2150. Please charge any shortage (or remit any overage) to the attorney's Deposit Account 13-0200

08/27/2003 AKELLEY 00000006 5918323

Respectfully submitted,

01 FC:2551
02 FC:1558
03 FC:1999

445.00 OP
1640.00 OP
63.00 OP

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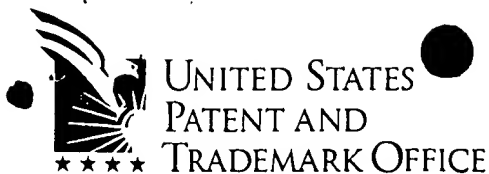
RegIn. Ref: 29/29/2003 AKELLEY 001377220
DAH:130200
FC: 9204
Adjustment date: 08/29/2003 AKELLEY 00000006 5918323

08/26/2003 AWONDAF1 00000078 08506851

01 FC:1599 2150.00 OP

Adjustment date: 08/27/2003 AKELLEY
08/26/2003 AWONDAF1 00000078 08506851
01 FC:1599 -2150.00 OP

Enclosures: 444.00 OP
(as noted)



Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
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P75M

DATE PRINTED

08/06/03

CHARLES A MCCLURE
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NOTICE OF PATENT EXPIRATION

According to the records of the Patent and Trademark Office, payment of the maintenance fee for the patents listed below has not been timely received prior to the end of the six-month grace period in accordance with 37 CFR 1.362(e). THE PATENT(S) LISTED BELOW HAS THEREFORE EXPIRED AS OF THE END OF THE GRACE PERIOD. 35 U.S.C. 41(b).

Expired patents may be reinstated in accordance with 37 CFR 1.378 if upon petition, the maintenance fee and the surcharge set forth in 37 CFR 1.20(m) are paid, AND THE DELAY IN PAYMENT OF THE MAINTENANCE FEE IS SHOWN TO THE SATISFACTION OF THE DIRECTOR TO HAVE BEEN UNAVOIDABLE. 35 U.S.C. 41(c)(1).

IF THE COMMISSIONER ACCEPTS PAYMENT OF THE MAINTENANCE FEE UPON PETITION THE PATENT SHALL BE CONSIDERED AS NOT HAVING EXPIRED, BUT WOULD BE SUBJECT TO THE INTERVENING RIGHTS AND CONDITIONS SET FORTH IN 35 U.S.C. 41(c)(2).

NOTICE OF THE EXPIRATION WILL BE PUBLISHED IN THE OFFICIAL GAZETTE.

PATENT NUMBER	U.S. APPLICATION NUMBER	PATENT DATE	APPLICATION FILING DATE	EXPIRATION DATE	ATTORNEY DOCKET NUMBER
5918323	08506851	07/06/99	07/25/95	07/07/03	



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Patent Number: 5918323

Application Number: 08506851

Entity Status: Small	Filing Date:	07/25/1995	Window Open:	07/08/2002
	Issue Year:	07/06/1999	Surcharge Due:	01/07/2003
	Payment Year:		Window Close:	07/07/2003

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